

DEPARTMENT OF LAND AND NATURAL RESOURCES  
Amendment and Compilation of Chapter 13-60.6  
Hawaii Administrative Rules

(date)

1. Chapter 60.6 of Title 13, Hawaii Administrative Rules, entitled "Ewa Beach, Oahu" is adopted to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 4 FISHERIES

PART 2 MARINE FISHERIES MANAGEMENT AREAS

CHAPTER 60.6

EWA BEACH, OAHU

- §13-60.6-1 Definitions
- §13-60.6-2 Prohibited activities
- §13-60.6-3 Permitted activities
- §13-60.6-4 Exceptions; permits
- §13-60.6-5 Penalty

§13-60.6-1 Definitions. As used in this chapter, unless the context clearly indicates otherwise:

"Area" means the Ewa Beach Fisheries Management Area, Oahu.

"Ewa Beach Fisheries Management Area" means that portion of the shoreline, submerged lands, and overlying waters offshore, within an area with an

eastern boundary from the western edge of the Pu'uloa rifle range, beginning at the highwater mark on the shoreline extending seaward a distance of 150 yards to 21° 18.831 N Latitude, 157° 59.434 W Longitude, proceeding westward to the western boundary marked by a boat ramp at Mu'u Mu'u Place, beginning at the highwater mark on the shoreline extending seaward a distance of 150 yards to 21° 18.456 N Latitude, 158° 00.834 W Longitude, and delineated in the map entitled "Map of the Ewa Beach Fisheries Management Area, Oahu 7/19/05" attached at the end of this chapter.

"Holdfast" means that portion of the limu that attaches to the bottom. The holdfast may take the form of hairlike structures, resembling the roots of terrestrial plants, or an extension of the plant's thallus or stalk. Also, any limu, or portion thereof, naturally attached to a piece of rock or coral, shall be considered to be attached by the holdfast.

"Limu" means any of various species of marine algae or seaweed.

"Ogo" means all *Gracilaria* species, including limu manaua or *Gracilaria coronopifolia* and *Gracilaria parvispora*.

"Reproductive nodes" means structures on the limu resembling bumps where the gametes or spores are stored. [Eff ] (Auth: HRS §188-53)  
(Imp: HRS §188-53)

§13-60.6-2 Prohibited activities. Except as permitted under section 13-60.6-3, it is unlawful for any person to take, possess, or remove any limu from the area. [Eff ] (Auth: HRS §188-53)  
(Imp: HRS §188-53)

§13-60.6-3 Permitted activities. Starting in 2007, a person in the area may:

- (1) Take or possess limu, from 6:00AM to 6:00PM daily, only during June, November, and December;

- (2) Take or possess one pound of limu per person per day only during June, November, and December; provided that any ogo taken or possessed may not have any holdfast or reproductive nodes. [Eff ]  
(Auth: HRS §188-53) (Imp: HRS §188-53)

§13-60.6-4 Exceptions; permits. The department may issue permits to engage in activities otherwise prohibited by section 13-60.6-3, as may be provided by sections 187A-3.5, 187A-6, or other law. [Eff ] (Auth: HRS §§187A-3.5, 187A-6, 188-53) (Imp: HRS §§187A-3.5, 187A-6, 188-53)

§13-60.6-5 Penalties. A person violating the provisions of this chapter shall be subject to the provisions of sections 187A-12.5, 188-70, or as may be otherwise provided by law and punished accordingly." [Eff ] (Auth: HRS §§187A-12.5, 188-70) (Imp: HRS §§187A-12.5, 188-70)

2. Material, except source notes, to be repealed is bracketed. New material is underscored.

3. Additions to update source notes to reflect these amendments are not underscored.

4. These amendments to and compilation of chapter 13-60.6, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on \_\_\_\_\_, and filed with the Office of the Lieutenant Governor.

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PETER T. YOUNG, Chairperson  
Board of Land and Natural  
Resources

APPROVED FOR PUBLIC HEARING:

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Deputy Attorney General